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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,497	06/27/2003	Edwin Bolduan	2000P12061WOUS	8652

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EXAMINER

STINSON, FRANKIE L

ART UNIT

PAPER NUMBER

1746

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/608,497

Applicant(s)

BOLDUAN

Examiner

FRANKIE L. STINSON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-7, 11, 13-15 and 17 is/are rejected.
- 7) ☒ Claim(s) 8-10, 12 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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1. The indicated allowability of claims 4-6, 13-17 is withdrawn in view of the newly discovered reference(s) to Phillips et al., Haberstump, King, Wendt, Hagopian.

Rejections based on the newly cited reference(s) follow.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-5 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wendt (U. S. Pat. No. 3,465,549) in view of either Haberstump (U. S. Pat. No. 2,358,507) or Hagopian (U. S. Pat. No. 2,188,684).

Re claim 4, Wendt is cited disclosing a washing machine comprising:

a housing (12);

a conveying configuration disposed in said housing and moving laundry in a circulatory path within said housing; and wherein said conveying configuration is a conveying belt or a conveying chain that differs from the claim only in the recitation of the fan being disposed in the housing. The patents to Haberstump and Hagopian are each cited disclosing in a washing machine, the arrangement of providing a fan (189 in Haberstump and 63 in Hagopian) for drying the cleaned articles after washing of the same in the housing. It therefore would have been obvious to one having ordinary skill in the art to modify the drying means of Wendt, to be a fan as taught by either Haberstump or Hagopian, for the purpose of forcing the drying air towards the articles being treated and since this is merely a

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substitution of equivalents. It is old and well in the washing art to employ forced air-drying means for quickly removing moisture from washed articles. Re claims 2, 3, 5 and 17, Wendt discloses all of the claims subject matter.

4. Claims 6, 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over King (U. S. Pat. No. 3,465,549) in view of either Haberstump or Hagopian.

Re claims 6 and 7, King is cited disclosing a washing machine, comprising;

a housing (4);

a conveying configuration disposed in said housing and moving laundry in a circulatory path within said housing; and

wherein said conveying configuration at least one of keeps the laundry stationary, moves the laundry into a constant-speed circulatory path, and executes a reciprocating movement dependent upon a processing operation to be carried out (see page 3, lines 14-26) that differs from the claim only in the recitation of the a fan disposed in said housing. Haberstump and Hagopian are cited disclosing the arrangement of providing a fan in the housing as claimed. It there would have been obvious to one having ordinary skill in the art to modify the device of King to include a fan as taught by either Haberstump or Hagopian, for the purpose of drying the washed articles as is common in the art. Re claim 11, to employed compress air is deemed to be a substitution of equivalents.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 13 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Haberstump.

Re claim 13, Haberstump is cited disclosing washing machine, comprising:

a housing;

a conveying configuration disposed in said housing and moving laundry in a circulatory path within said housing;

a fan disposed in said housing, and

a rinsing-water container (see page 4, right col. Lines, 31-33) disposed at said housing, said container being a heat exchanger (inherently).

7. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haberstump in view of Philips et al. (U. S. Pat. No. 2,329,674).

Claim 14 defines over the applied prior art only in the recitation of the double-walled container. Nonetheless, to employ a double-wall container is deemed to be a mere duplication of parts (see MPEP 2144.04 REVERSAL, DUPLICATION OR RE-ARRANGEMENT OF PARTS)/. However, Phillips discloses the double-walled container as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the container in Haberstump, to be double-walled AS TAUGHT BY Phillips, for the purpose of preventing heat loss as is common in the art. This is also applicable to the double-wall housing as claimed in claim 15.

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8. Claims 8-10, 12 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Jacobsen et al. Sadwith, Smith, and Rosenberg et al., note the washing means.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls



FRANKIE L. STINSON
Primary Examiner
GROUP ART UNIT 1746